

the second day of such month. The officers of said counties elected in the year 1912 shall hold office until their successors to be elected in the year 1915 shall be so elected and qualified. The expenses of such elections shall be paid by the respective counties in which they are held."

SECTION 2. This Act shall take effect upon its approval.

Approved this 26th day of April, A. D. 1913.

WALTER F. FREAR,
Governor of the Territory of Hawaii.

ACT 119 AN ACT

RELATING TO THE CIVIL SERVICE OF THE TERRITORIAL BOARD OF HEALTH.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. There is hereby established a civil service commission consisting of three members, who shall be appointed by the governor in the manner prescribed by Section 80 of the Organic Act, and shall hold office for two years, or until their successors are appointed and qualified. Said members shall serve without pay, and two of them shall constitute a quorum. Not more than any two members of the said commission shall belong to the same political party, when appointed. The secretary of the territorial board of health shall act as secretary, and keep the minutes and records of said commission without additional compensation.

SECTION 2. The commission shall classify all places of employment now existing, or hereafter created in or under the territorial board of health, except the places and offices specified in Section 7 hereof. The places so classified shall constitute the classified service of the territorial board of health, and no appointment to any such place shall be made, except with the approval of the commission and in accordance with its rules and regulations.

SECTION 3. The commission, with approval of the governor, shall from time to time make such rules and regulations to govern the selection and appointment of persons to be employed in or under the territorial board of health as in its judgment shall secure to it the best service, and such rules and regulations when so approved, and after having been published once a week for three successive weeks in a newspaper of general circulation in the City and County of Honolulu, shall have the force and effect of law. Such rules and regulations shall provide for ascertaining as far as possible the physical and educational qualifications, habits and reputation and standing and experience of all applicants, and shall provide for a competitive examination of all applicants in such subjects as shall be proper for the purpose of best determining their qualifications for the places sought. Such rules and regulations may provide for the classification of positions and for a special course of inquiry and examination for candidates for each class, and shall, with the approval of the governor, be subject to modification or repeal by the commission.

SECTION 4. Such examination shall be public and free to all citizens of the Territory, and to all persons eligible to become such, over twenty and under sixty years of age, with proper limitations as to residence, health, habits and character. Such examinations shall be practical in their character, and may, include tests of manual skill and physical strength. The commission shall control all such examinations, and may designate a suitable person or persons to conduct them.

SECTION 5. Whenever any person has been appointed under the provisions of this Act and of the rules and regulations made, approved and published in conformity herewith in or under the territorial board of health, he shall hold such position or appointment during good behavior, subject to removal only as provided in said rules and regulations.

SECTION 6. Vacancies and new positions shall be filled by promotion or appointment, as the case may be, of persons then in the service, whenever practicable, and, in the opinion of the commission and of the territorial board of health, for the best advantage of said board; otherwise, from persons who have satisfactorily passed the examination prescribed by the commission for the particular position or vacancy to be filled.

SECTION 7. This Act shall not apply to the president, secretary or members of the territorial board of health, the bacteriologists and pathologists of the Territory, the physicians in charge of and treating tuberculosis, the government physicians and the employees engaged in the segregation and treatment of leprosy. Provided, however, that nothing in this Act shall be construed to prohibit the territorial board of health from employing any help that may be found necessary in times of epidemic.

SECTION 8. This Act shall not be construed to require the examination of any person at present employed in or under the territorial board of health.

SECTION 9. This Act shall take effect upon its approval.

Approved this 26th day of April, A. D. 1913.

WALTER F. FREAR,
Governor of the Territory of Hawaii.

ACT 120 AN ACT

TO PREVENT THE FISHING FOR OR TAKING OF THE FISH

KNOWN AS BASS WITH NETS, AND TO PROVIDE A CLOSED SEASON FOR THE PROTECTION OF BASS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That it shall be unlawful for any person at any time to fish for or take, or be engaged in the fishing for or taking from any of the waters within said Territory, with nets of any description, the fish known as bass; and it shall be unlawful for any person to fish for or take, or be engaged in the fishing for or taking from any of the waters within said Territory the fish known as bass during any time from January 1st to June 1st, inclusive, in any year. And it shall be likewise unlawful for any person to expose or offer for sale, or to have in possession for the purpose of exposing or offering for sale any bass during or within any of the times stated in this Section. Providing, however, that the provisions of this Act shall not prohibit the taking of bass for purposes of stocking other waters, or their transfer during periods of low water.

SECTION 2. Any person offending against any of the provisions of this Act shall, for the first offense, be punished by a fine of not less than ten dollars nor more than one hundred dollars, or by imprisonment not less than ten days nor more than twenty-five days, in the discretion of the court, or by both; and upon subsequent conviction of such offense, at any time within one year after a former conviction thereof, the person so convicted such subsequent time shall be punished by a fine of not less than fifty dollars, nor more than five hundred dollars, or by imprisonment not less than fifty days, nor more than one hundred days, in the discretion of the court, or by both.

SECTION 3. Any and all bass which shall be exposed or offered for sale, or held in possession with the intent of exposing or offering the same for sale, contrary to the provisions of this Act, shall be seized by any officer of the board of health or any police officer, and shall be by him forthwith sold (if fit for food), and the proceeds of such sale shall be reported to the district court having jurisdiction of such offense; and if said court shall find that such seizure and sale was justified under this Act, such said proceeds shall be adjudged forfeited to the county treasurer thereof, in like manner as fines and costs realized in such district court are now authorized to be paid; but if such court shall find such seizure and sale to have been unjustified under this Act, such proceeds shall be paid over to any claimant thereof who shall establish his right thereto before such district court.

SECTION 4. Appeals from the decisions and judgments of said district courts, under the provisions of this Act, may be taken to the supreme court or to the appropriate circuit court, in like manner as appeals from such district courts are now provided to be taken.

SECTION 5. This Act shall take effect upon and from the date of its approval.

Approved this 26th day of April, A. D. 1913.

WALTER F. FREAR,
Governor of the Territory of Hawaii.

ACT 121 AN ACT

TO AMEND THE REVISED LAWS OF HAWAII BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 2230A.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The Revised Laws of Hawaii is hereby amended by adding thereto a new section to be known as Section 2230A.

"Section 2230A. A cross-libel may be filed in any action for divorce and affirmative relief granted thereon as fully and effectually as in original petitions for divorce."

SECTION 2. This Act shall take effect on the date of its approval.

Approved this 26th day of April, A. D. 1913.

WALTER F. FREAR,
Governor of the Territory of Hawaii.

ACT 122 AN ACT

TO FURTHER AMEND SECTION 1355 OF THE REVISED LAWS OF HAWAII, AS AMENDED BY SECTION 2 OF ACT 50 OF THE SESSION LAWS OF 1911, RELATING TO LICENSE FEE FOR BILLIARD OR POOL TABLES AND BOWLING ALLEYS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1355 of the Revised Laws of Hawaii, as amended by Section 2 of Act 50 of the Session Laws of 1911, is hereby further amended so as to read as follows:

"Section 1355. Regulations; Forfeiture. No male person under the age of eighteen years or female person shall be permitted to be or remain in or about any premises where licensed billiard or pool tables are had and operated, and no intoxicating liquor shall be allowed, furnished or possessed in such premises.

In addition to these conditions, the treasurer of each county or city and county shall have power to prescribe other regulations for the keeping of billiard or pool tables and bowling alleys as he may deem necessary for the public good.

Any person violating the above conditions, or any of the regu-

lations so prescribed, shall be fined not more than two hundred and fifty dollars, and shall, in the discretion of the court, suffer a forfeiture of his license."

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 26th day of April, A. D. 1913.

WALTER F. FREAR,
Governor of the Territory of Hawaii.

ACT 123 AN ACT

TO AMEND ACT 119 OF THE SESSION LAWS OF 1907, RELATING TO THE SALE OF INTOXICATING LIQUORS, BY ADDING TO SAID ACT A NEW SECTION TO BE KNOWN AS SECTION 64A.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Act 119 of the Session Laws of 1907 is hereby amended by adding thereto a new section to be known as Section 64A to read as follows:

"Section 64A. At or after the time the notice provided for in the last preceding section is given to any licensee, the person or persons giving such notice may also give a copy of a memorandum thereof to the person therein named, or may in any other proper manner notify such person that the above named notice has been given to a licensee; and after any such person shall have been twice convicted of drunkenness, or shall have received the notice hereinabove provided for, it shall be unlawful for such person within two years after the second conviction, or within two years after the receipt of such notice, unless such notice is sooner withdrawn, with the consent of the board of license commissioners, by the person giving the same, to purchase, acquire or procure any intoxicating liquor, or to enter or be in or upon any premises where intoxicating liquor is sold. Any person violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than ten dollars (\$10.00) nor more than two hundred fifty dollars (\$250.00), or by imprisonment for not more than six months, or both such fine and imprisonment."

SECTION 2. This Act shall take effect upon its approval.

Approved this 26th day of April, A. D. 1913.

WALTER F. FREAR,
Governor of the Territory of Hawaii.

ACT 124 AN ACT

TO AMEND SECTION 2291 OF THE REVISED LAWS OF HAWAII.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2291 of the Revised Laws of Hawaii, as amended by Act 34 of the Session Laws of 1907, is hereby amended to read as follows:

"Section 2291. Children in Public Streets, Prohibited When; Penalty. Any child under fifteen years of age who, except in case of necessity, or except when permitted so to do in writing by a judge of the juvenile court, shall go or remain on any public street or highway after seven o'clock in the evening and before four o'clock in the morning, unaccompanied by an adult person, shall be deemed a delinquent child and may be punished as by law provided."

SECTION 2. This Act shall take effect upon its approval.

Approved this 26th day of April, A. D. 1913.

WALTER F. FREAR,
Governor of the Territory of Hawaii.

ACT 125 AN ACT

REGULATING THE OPERATION OF AUTOMOBILES AND OTHER MOTOR VEHICLES, DEFINING THE DUTIES OF THE DRIVER AND CERTAIN OTHER OCCUPANTS THEREOF IN CERTAIN CASES OF COLLISIONS, AND PUNISHING THE NEGLECT OR REFUSAL TO PERFORM SUCH DUTIES.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Whenever an automobile, motor cycle or other motor vehicle strikes any person, or collides with any vehicle containing a person, the driver of, and all persons in such automobile, motor cycle or other motor vehicle who have or assume authority over such driver, shall immediately cause such automobile, motor cycle or other motor vehicle to stop, and shall forthwith render to the person struck, or to the occupants of such vehicle, all needed assistance, including the carrying of such person or occupant to a physician or surgeon for medical or surgical treatment, if such treatment seems to be required, or if such carrying is requested by the person struck or occupying such vehicle; and such driver, and person having or assuming authority over him, shall forthwith give to the occupant of such vehicle or person struck the number of such automobile, motor cycle or other motor vehicle, with the name and address of the driver, and of each person in such automobile, motor cycle or other motor vehicle at the time of such striking or collision.

SECTION 2. Any person violating any of the provisions of



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